

1 Rule 21. Filing and service.

2 (a) Filing. Papers required or permitted to be filed by these rules ~~in the~~
3 ~~appellate court~~ shall be filed with the clerk of the appropriate court. Filing may
4 be accomplished by mail addressed to the clerk. Except as provided in subpart
5 (f), filing shall not be timely unless the papers are received by the clerk within
6 the time fixed for filing, except that briefs shall be deemed filed on the date of
7 the postmark if first class mail is utilized. If a motion requests relief which may
8 be granted by a single justice or judge, the justice or judge may accept the
9 motion, note the date of filing, and transmit it to the ~~Clerk~~ clerk.

10 (b) Service of all papers required. Copies of all papers filed with the
11 appellate court shall, at or before the time of filing, be served on all other parties
12 to the appeal or review. Service on a party represented by counsel shall be made
13 on counsel of record, or, if the party is not represented by counsel, upon the
14 party at the last known address. A copy of any paper required by these rules to
15 be served on a party shall be filed with the court and accompanied by proof of
16 service.

17 (c) Manner of service. Service may be personal or by mail. Personal service
18 includes delivery of the copy to a clerk or other responsible person at the office
19 of counsel. Service by mail is complete on mailing.

20 (d) Proof of service. Papers presented for filing shall contain an
21 acknowledgment of service by the person served or a certificate of service in the
22 form of a statement of the date and manner of service, the names of the persons
23 served, and the addresses at which they were served. The certificate of service
24 may appear on or be affixed to the papers filed. If counsel of record is served,
25 the certificate of service shall designate the name of the party represented by
26 that counsel.

27 (e) Signature. All papers filed in the appellate court shall be signed by
28 counsel of record or by a party who is not represented by counsel.

29 (f) Papers filed by an inmate confined in an institution are timely filed if they
30 are deposited in the institution's internal mail system on or before the last day
31 for filing. Timely filing may be shown by a notarized statement or written
32 declaration setting forth the date of deposit and stating that first-class postage
33 has been prepaid.

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